

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

What is claimed is:

Claims 1-11 (Cancelled)

12. (Currently Amended) A shield assembly for wall penetration of flexible tubing, comprising:

an elongated sleeve comprised of a tube or channel having a first side, a second side, an upper side, a lower side, and a first open end opposed to a second open end whereby flexible tubing may be installed into the first open end, pass through the tube or channel, and exit the second open end;

said elongated sleeve being of predetermined length sufficient to penetrate an exterior frame wall through any exterior sheathing and building siding;

said elongated sleeve being of predetermined inside dimensions to accommodate one or more flexible tubes;

an elongated attachment plate of sufficient strength to resist deformation due to manually applied pressure;

said attachment plate having one or more attachment holes for installation of mounting hardware;

said attachment plate being affixed to one of the first or second sides laterally adjacent to the first open end of the elongated sleeve and such that the one or more attachment holes are oriented to permit installation of attachment hardware into a building-framing stud;

said attachment plate oriented such that it can be installed with its longitudinal dimension vertical and

attached to the surface of the stud in the interior of the wall; and

the geometric angle between the centerline of the longitudinal direction of the said attachment plate and the elongated dimension of the said elongated sleeve is such that, when the centerline of the longitudinal direction of the said attachment plate is vertical, the first open end faces at an upward angle whereby flexible tubing can be installed to transition from the vertical inside the wall cavity to the interior of the sleeve and the second open end faces at a downward angle outside of the wall.

13. (Previously presented) The shield assembly of claim 12, wherein geometric angle between the attachment plate and the elongated tube is between twenty (20) degrees and seventy five (75) degrees.

14. (Previously presented) The shield assembly of claim 12, wherein the elongated sleeve is comprised of durable material selected from the group comprising at least one of metal, polyvinyl chloride (PVC) or plastic.

15. (Currently Amended) A shield assembly for wall penetration of flexible tubing, comprising:

an elongated sleeve comprised of a tube or channel having a first side, a second side, an upper side, a lower side, and a first open end opposed to a second open end whereby flexible tubing may be installed into the first open end, pass through said tube or channel, and exit out the second open end;

said sleeve being of predetermined length sufficient to penetrate an exterior frame wall through any exterior sheathing and building siding;

said sleeve being of predetermined inside dimensions to accommodate one or more flexible tubes;

two elongated attachment angles of sufficient strength to resist deformation due to manually applied pressure;

said attachment angles affixed one to the upper side of the elongated tube or channel along the edge of the first open end and the other across the vertical midsection of the lower side of the elongated tube or channel;

said attachment angles having one or more attachment holes for installation of mounting hardware;

said attachment angles oriented so that they can be installed with their longitudinal dimensions horizontal and attached to building sheathing in the interior of the wall; and

the geometric angle between the attachment angles and the upper and lower sides of the said elongated sleeve is such that, when the attachment angles' protruding sides are vertical and their longitudinal axes are horizontal, the first open end faces at an upward angle whereby flexible tubing can be installed to transition from the vertical inside the wall cavity to the interior of the sleeve and the second open end faces at a downward angle outside of the wall.

16. (Currently amended) The shield assembly of claim 15, wherein the attachment angles are affixed to the elongated sleeve at a geometric angle between twenty (20) and seventy five (75) degrees.

17. (Previously presented) The shield assembly of claim 15, wherein the elongated sleeve is comprised of durable material selected from the group comprising at least one of metal, polyvinyl chloride (PVC) or plastic.

18. (Cancelled)

19. (Cancelled)

20. (Cancelled)

21. (Currently Amended) A shield assembly for wall penetration of flexible tubing, comprising:

an elongated sleeve comprised of a tube or channel having a first side, a second side, an upper side, a lower side, and a first open end opposed to a second open end whereby flexible tubing may be installed into the first open end, pass through said tube or channel, and exit out the second open end;

said sleeve being of predetermined length sufficient to penetrate an exterior frame wall through any exterior sheathing and building siding;

said sleeve being of predetermined inside dimensions to accommodate one or more flexible tubes;

an elongated attachment angle of sufficient strength to resist deformation due to manually applied pressure;

said attachment angle having one or more attachment holes for installation of mounting hardware;

said attachment angle being affixed to one of the first or second sides laterally adjacent to the first open end of the elongated sleeve and such that the one or more

attachment holes are oriented to permit installation of attachment hardware into building exterior sheathing;

said attachment angle oriented such that it can be installed with its longitudinal dimension vertical and attached to building sheathing in the interior of the wall; and

the geometric angle between the centerline of the longitudinal direction of the said attachment angle and the elongated dimension of the said elongated sleeve is such that, when the centerline of the longitudinal direction of the said attachment angle is vertical, the first open end faces at an upward angle whereby flexible tubing can be installed to transition from the vertical inside the wall cavity to the interior of the sleeve and the second open end faces at a downward angle outside of the wall.

22. (Previously presented) The shield assembly of claim 21, wherein the geometric angle between the attachment angle and the elongated tube is between twenty (20) and seventy five (75) degrees.

23. (Previously presented) The shield assembly of claim 21, wherein the elongated sleeve is comprised of durable material selected from the group comprising at least one of metal, polyvinyl chloride (PVC) or plastic.

Interview Summary

A telephone interview was conducted on July 31, 2006 with the examiner, David E. Bochna, and the applicant, Matthew K. Parker, regarding the office action mailed May 3, 2006. They discussed claims 12 and 15 with regards to the prior art by Horrigan. The applicant proposed a revision to claims 12 and 15 to differentiate the current device from the prior art. The revision involves requiring that the attachment plate or angles be attached to the elongated sleeve near the first open end of the device. Applicant stated that in Horrigan, the attachment plate is attached generally in the center of the sleeve and has no requirement of where it must be attached to the sleeve. The Horrigan device is then materially different than the current device. The examiner said that he thought the change might have merit to differentiate the current device but wanted to see the actual wording of the claims.

The examiner also advised the applicant that since the last action was final, the applicant would need to file a Request for Continued Examination and pay any applicable fees.